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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT SEATTLE

9 SING CHO NG,

10 Plaintiff,

11 v.

12 HAGGEN, INC., et al.,

13 Defendants.

CASE NO. C08-1160-JCC

MINUTE ORDER

14 The following Minute Order is made by direction of the Court, the Honorable John C.  
15 Coughenour, United States District Judge:

16 This matter comes before the Court on Plaintiff's Motion for Remedial Actions (Dkt. No. 60).  
17 Plaintiff asks the Court to clarify whether the one-sheet Judgment, dated April 7, 2009, and received by  
18 Plaintiff on April 10, 2009, is the complete set of documents that he was entitled to receive in this matter.  
19 (Mot. 2 (Dkt. No. 60).) In order to clarify Plaintiff's apparent confusion, the Court provides the  
20 following response:

- 21 (1) On April 2, 2009, the Court issued an order adopting Judge Tsuchida's Report and  
22 Recommendation ("R&R") and dismissing the action without prejudice based on  
23 Plaintiff's repeated failure to timely serve and his failure to comply with the Court's  
24 previous direction. (Dismissal Order 2-3 (Dkt. No. 58).) In dismissing the action, the  
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1 Court directed the Clerk “to send copies of this Order to Plaintiff and to Judge Tsuchida.”  
2 (*Id.* at 3.) Accordingly, the Docket caption indicates that a copy of this Dismissal Order  
3 was in fact sent to Plaintiff on or about April 3, 2009.<sup>1</sup> (*See* Dkt. No. 58 ECF caption  
4 (stating that the order was “cc: S. Ng,” i.e., a copy of the order was sent to Plaintiff).)

5 (2) On April 7, 2009, the Court entered a one-page Judgment, which officially declared that  
6 the case had been dismissed without prejudice. (Judgment (Dkt. No. 59).) The Judgment  
7 was posted to the Docket after noon and sent to Plaintiff on the following day, April 8,  
8 2009. (*See* Dkt. No. 59 ECF caption (stating that the Judgment was “cc: S. Ng”); Mot. 1  
9 (Dkt. No. 60) (stating that Plaintiff in fact received a one-page Judgment post-marked  
10 April 8, 2009).)

11 (3) Plaintiff was therefore timely sent both a copy of the Dismissal Order and a copy of the  
12 one-page Judgment. Accordingly, there were no “errors in mailing the Judgment” as  
13 alleged by Plaintiff and his motion (Dkt. No. 60) is DENIED.

14 (4) Nevertheless, to clear up Plaintiff’s apparent confusion and to ensure he is aware of the  
15 relevant documents relating to the dismissal of his case, the Clerk is DIRECTED to RE-  
16 SEND to Plaintiff a copy of: the R&R (Dkt. No. 35), the Court’s Dismissal Order (Dkt.  
17 No. 58), and the one-page Judgment (Dkt. No. 59).

18  
19 DATED this 14th day of April, 2009.

20 BRUCE RIFKIN, Clerk of Court

21  
22 By /s/ V. Perez  
23 Deputy Clerk

24  
25 <sup>1</sup> The dismissal order was likely sent on April 3, 2009, because it was not posted on the Docket  
until the afternoon of April 2. (*See* Dkt. No. 58 ECF caption.)